

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

MISC. CIVIL APPLN.(CONTEMPT PETITION) No 4 of 1996

For Approval and Signature:

Hon'ble MR.JUSTICE R.K.ABICHANDANI and Sd/-

Hon'ble MR.JUSTICE D.H.WAGHELA Sd/-

- =====
1. Whether Reporters of Local Papers may be allowed to see the judgements? : NO
  2. To be referred to the Reporter or not? : NO
  3. Whether Their Lordships wish to see the fair copy of the judgement? : NO
  4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 of any Order made thereunder? : NO
  5. Whether it is to be circulated to the Civil Judge? : NO  
1 to 5 No
- 

HARSHABEN K KARATHIYA & OTHERS

Versus

JITENDRABHAI G SANGHVI

-----

Appearance:

MR PARESH M DAVE for Petitioners

MR HV PUJARA for Respondent No. 1, 2

-----

CORAM : MR.JUSTICE R.K.ABICHANDANI and

MR.JUSTICE D.H.WAGHELA

Date of decision: 15/12/1999

ORAL JUDGEMENT (Per R.K.Abichandani, J.)

The grievance of the applicants is that the award of the Gujarat Primary Education Tribunal dated 10.10.1995 has not been complied with by the opponents.

When this application is called out, Dr.Jitendra G. Sanghvi, who is the Secretary of the Trust which runs the school, is present. He states that the amount, which, according to the opponents, is due under the award, will be deposited in Special Civil Application No.410 of 1996 which has been filed by the opponents against the impugned award and has been admitted. He states that the amount will be deposited on or before 31.1.2000 subject to the outcome of that petition. It will be open for the applicants to move the Court in that matter for withdrawal of the amount or for any claim to which, according to them, they are entitled under the award. The applicants are already reinstated in service as per the award. It will also be open for the applicants to raise their claim as regards their entitlement to the current salary in the main petition. In this view of the matter, we do not find any justification for taking action under the Contempt of Courts Act at this stage. Rule is discharged with no order as to costs.

Sd/-

( R.K.Abichandani, J.

Sd/-

( D.H.Waghela, J.).

(KMG Thilake)